



AGENCY:	City Council
MEETING DATE:	November 23, 2015
DEPARTMENT:	Administration
PRESENTED BY:	L. Ruffing

AGENDA ITEM SUMMARY

TITLE:

RECEIVE REPORT AND CONSIDER SIGNING ON TO ARGUMENT IN OPPOSITION TO MEASURE U "PROHIBITING SOCIAL SERVICE ORGANIZATIONS IN THE CENTRAL BUSINESS DISTRICT"

ISSUE:

At the November 9, 2015 Fort Bragg City Council meeting, the Council accepted the certification of signatures qualifying the initiative measure entitled "Prohibiting Social Service Organizations in the Central Business District." Because the proponents of the measure collected sufficient signatures, the Council adopted a resolution to submit the measure to the voters of the city on the June 7, 2016 election ballot. The County Elections office has titled the ballot measure – "Measure U."

While all five Councilmembers expressed their opposition to the measure, the Council decided not to prepare an argument against the ballot measure. It was stated that the voters should hear from others who are opposed to the initiative and that the Council might choose to sign on to an argument prepared by opponents to the measure.

An opposition argument prepared by GoFortBragg has been submitted for Council consideration as to whether or not to sign on. The deadline for filing ballot arguments and signatures is 5:00 PM on Wednesday, November 25th. GoFortBragg has requested that the Council sign on to the argument against Measure U. They are also requesting that other social service organizations sign on.

RECOMMENDED ACTION:

Staff recommends that the City Council approve a motion to sign on to the argument against Measure U, as submitted by Go Fort Bragg.

ALTERNATIVE ACTION(S):

1. No action. Under this alternative, the Council would not sign on to the argument against Measure U submitted by GoFortBragg.
2. Appoint an ad hoc committee of two Councilmembers to draft an opposition argument for Council consideration, and hold a special meeting before 5:00 PM on Wednesday, November 25th to consider action on the opposition argument.

ANALYSIS:

The argument against Measure U prepared by GoFortBragg is as follows:

ARGUMENT AGAINST MEASURE U

Vote NO on the Measure to Ban Social Services in the Central Business District. All five City Council members agree: This measure is a bad idea.

The City Attorney has said it could be challenged as discriminatory and unlawful under State and Federal laws and that the retroactivity provision would likely be subject to challenge.

This measure is discriminatory, unenforceable and unjust. It threatens the civil rights of everyone who uses social services, which includes veterans, seniors, and children.

It will expose the City to very costly litigation.
It will waste your taxpayer dollars fighting lawsuits. It will be deemed illegal and unenforceable.

Fort Bragg has a proud history of helping those in need - let's keep it that way. Show your support for organizations like Project Sanctuary, Art Explorers, Parents and Friends, The Food Bank, Hospitality Center, Mendocino Coast Children's Fund, and Habitat for Humanity by rejecting this measure.

We ask you to join us in voting NO on the Measure to Ban Social Services in the Central Business District.

FISCAL IMPACT:

The special election will be consolidated with the June 7, 2016 Statewide Primary Election. The costs associated with Measure U are estimated at between \$3,000 and \$5,000 and will be paid for with City general fund revenues.

IMPLEMENTATION/TIMEFRAMES:

In preparing the sample ballot, organizations and/or individuals are invited to submit arguments in favor of or opposed to the measure. Arguments are due to the City Clerk by 5:00 pm on Wednesday, November 25, 2015. In accordance with the Elections Code, the City Clerk shall determine which argument in favor of and which argument in opposition to the ballot measure will be printed in the voter pamphlet. Notification and copies of the selected arguments will be available for public inspection at City Hall by 2:00 pm on Monday, November 30, 2015.

Organizations and/or individuals are also invited to submit rebuttals to the arguments to be printed in the sample ballots. These must be submitted to the City Clerk by 5:00 pm on Saturday, December 5th, 2015. As December 5th is a Saturday, rebuttal arguments for or against the measure may be placed in the night deposit slot to the right of the main doors of City Hall. The City Clerk will determine which rebuttal arguments will be printed in the voter pamphlet by 2:00 pm on Monday, December 7, 2015.

Measure U will be on the June 7, 2016 ballot and the special election will be consolidated with the Statewide Primary Election.

ATTACHMENTS:

1. Cover Letter from GoFortBragg

NOTIFICATION:

1. GoFortBragg
2. Proponents of the Initiative

City Clerk's Office Use Only

Agency Action ☐ Approved ☐ Denied ☐ Approved as Amended

Resolution No.: _____ Ordinance No.: _____

Moved by: _____ Seconded by: _____

Vote: _____

☐ Deferred/Continued to meeting of: _____

☐ Referred to: _____